

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DEANNA LETRAY,

Plaintiff,

v.

JEFFERSON COUNTY; CITY OF
WATERTOWN; COLLEEN O'NEILL, Jefferson
County Sheriff; KRISTOPHER M. SPENCER;
JOEL DETTMER; CHARLES DONOGHUE, City
of Watertown Police Chief; GEORGE
CUMMINGS; SAMUEL WHITE; DEBORAH
DAVIS and PATRICK LARKINS,

Defendants.

20-CV-1194 (FJS)(TWD)

[PROPOSED] VERDICT SHEET

Part One: LIABILITY

I. CLAIM ONE: § 1983 Denial of Equal Protection

1. Did the plaintiff prove, by a preponderance of the evidence, that any of the following defendants discriminated against her based on her transgender status?

Defendant George Cummings:

Yes _____ No _____

Defendant Samuel White:

Yes _____ No _____

Defendant Joel Dettmer:

Yes _____ No _____

Defendant Patrick Larkins:

Yes _____ No _____

Defendant Deborah Davis:

Yes _____ No _____

[If you answered “Yes” to any part of question 1, proceed to questions 1-A through 1-E. If not, skip 1-A through 1-E.]

1-A. Did the plaintiff prove, by a preponderance of the evidence, that any of the violations identified in question 1 were caused by the Watertown Police Department’s official policy, practice, or custom, or by its failure to train officers?

Yes _____ No _____

1-B. Did the plaintiff prove, by a preponderance of the evidence, that any of the violations identified in question 1 were caused by Defendant Chief Charles Donoghue?

Yes _____ No _____

1-C. Did the plaintiff prove, by a preponderance of the evidence, that any of the violations identified in question 1 were caused by the Jefferson County Sheriff’s Office’s official policy, practice, or custom, or by its failure to train officers?

Yes _____ No _____

1-D. Did the plaintiff prove, by a preponderance of the evidence, that any of the violations identified in question 1 were caused by Defendant Sheriff Colleen O’Neill?

Yes _____ No _____

1-E. Did the plaintiff prove, by a preponderance of the evidence, that any of the violations identified in question 1 were caused by Defendant Jail Administrator Kristopher Spencer?

Yes _____ No _____

II. CLAIM TWO: New York State Constitution Equal Protection

2. *[This claim requires the same answers you gave regarding CLAIM ONE.]*

III. CLAIM THREE: New York State Civil Rights Law § 40-c

3. Did the plaintiff prove, by a preponderance of the evidence, that any of the following defendants discriminated against her based on her transgender status, or aided or incited such discrimination? For each “yes” answer, identify the number of instances of unlawful discrimination—or aiding or inciting—that each respective defendant committed.

Defendant George Cummings:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Samuel White:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Joel Dettmer:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Patrick Larkins:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Deborah Davis:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Charles Donoghue:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Colleen O’Neill:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting: _____

Defendant Kristopher Spencer:

Yes _____ No _____

If “Yes,” # of instances of discrimination/aiding/inciting _____

IV. CLAIM FOUR: § 1983 Unreasonable Manual Body Cavity Search

4. Did the plaintiff prove, by a preponderance of the evidence, that Defendant Joel Dettmer performed an unreasonable manual body cavity search on her?

Yes _____ No _____

V. CLAIM FIVE: § 1983 Sexual Assault

5. Did the plaintiff prove, by a preponderance of the evidence, that Defendant Joel Dettmer sexually assaulted her?

Yes _____ No _____

VI. CLAIM SIX: § 1983 Failure to Intervene

(ONLY ANSWER IF YOU CHECKED “YES” AS TO DEFENDANT DETTMER FOR ANY OTHER CLAIM. OTHERWISE SKIP.)

6. Did the plaintiff prove, by a preponderance of the evidence, that any of the following defendants unlawfully failed to intervene when Defendant Joel Dettmer was violating her rights?

Defendant George Cummings:

Yes _____ No _____

Defendant Patrick Larkins:

Yes _____ No _____

Defendant Deborah Davis:

Yes _____ No _____

VII. CLAIM SEVEN: § 1983 Excessive Use of Force

7. Did the plaintiff prove, by a preponderance of the evidence, that any of the following defendants used unreasonable or excessive force against her?

Defendant George Cummings:

Yes _____ No _____

Defendant Samuel White:

Yes _____ No _____

Defendant Joel Dettmer:

Yes _____ No _____

Part Two: DAMAGES

(ONLY COMPLETE IF YOU ANSWERED “YES” TO ANY QUESTION 1-7)

Compensatory Damages:

8. If you found liability as to any claim *other* than CLAIM THREE (i.e., if you answered “yes” to question 1, 2, 4, 5, 6, or 7), state the amount of compensatory damages to which the plaintiff is entitled.

\$ _____

Statutory Penalty:

9. If you found liability as to CLAIM THREE for any defendant (i.e., if you answered “yes” finding that any defendant violated Civil Rights Law § 40-c), you must choose a statutory penalty of no less than \$100 and no more than \$500 for *each* instance of discrimination (including aiding or inciting discrimination) you identified. Add up these numbers. State the total amount of the statutory penalties to which the plaintiff is entitled.

\$ _____

Punitive Damages:

10. Has the plaintiff proved, by a preponderance of the evidence, that she is entitled to punitive damages against:

Defendant George Cummings:

Yes _____

No _____

Defendant Samuel White:

Yes _____ No _____

Defendant Joel Dettmer:

Yes _____ No _____

Defendant Patrick Larkins:

Yes _____ No _____

Defendant Deborah Davis:

Yes _____ No _____

Defendant Charles Donoghue:

Yes _____ No _____

Defendant Colleen O'Neill:

Yes _____ No _____

Defendant Kristopher Spencer:

Yes _____ No _____

11. If you answered “yes” to any part of question 10, identify the amount of punitive damages to which the plaintiff is entitled from each defendant:

Defendant George Cummings:

\$ _____

Defendant Samuel White:

\$ _____

Defendant Joel Dettmer:

\$ _____

Defendant Patrick Larkins:

\$ _____

Defendant Deborah Davis:

\$ _____

Defendant Charles Donoghue:

\$ _____

Defendant Colleen O'Neill:

\$ _____

Defendant Kristopher Spencer:

\$ _____

YOUR DELIBERATIONS ARE COMPLETE

Dated: _____, 2024

FOREPERSON